the strike was told to-night by a man LA FOLLETTE ON LA FOLLETTE

publican machine's privy council.

Several days ago, although the Philadelphia Rapid Transit Company was running little more than a fourth of its cars and the outlying sections of the city were deprived of street car service. it seemed apparent that the company must win in the end despite the shouting of Pratt and the inefficiency or laxity of Pratt and the inefficiency or larity of the police. Reyburn, the Mayor, was frankly against the strikers, and to the surprise of no one strongly determined that the company should win. So was his Director of Public Safety. Henry Clay. Senator Wolf, a power in the machine and a director in the transit company, was of course for a stubborn fight. Israel Durham, the one time all powerful loss though somewhat shorn of power.

pany, was of course for a stubborn fight. Israel Durham, the one time all powerful boss, though somewhat shorn of power now and a sick man in the bargain, was ready to stand pat with the company in the fight and had enough influence left to make his aid worth while.

The other two leaders worth while were Senator Jim McNichol, who bosses the slum district, and Billy Vare, whose constituents on the South Side are of a slightly better grade. Both of them have little or no connection with the Rapid Transit Company and were disposed at first to keep out of the fight. On that alignment of the powers it looked like a sure victory for the company, provided McNichol and Vare kept hands off. But as time approached for the primaries McNichol and Vare got nervous. They began to talk out loud, saying there was danger that the machine would be annihilated at the primary and the District Attorneyship lost to the boys. It was one of the few times that the machine or any of its parts displayed open fear.

Then came a direct split among the leaders. McNichol and Vare turned on Reyburn, Wolf and Durham and told them they were making a mistake that would be revered.

they were making a mistake that would prove irremediable. The triumvirate tried to persuade McNichol and Vare to go back somewhere and sit down, but MoNichol and Vare balked and proceeded to put Reyburn, Wolf and Durham in a hole by giving out long internity in a

although he hated to see Jim McNichol get the credit for bringing about peace. Israel Durham, the machine stalwart in the United Gas Improvement battle a few years ago, was the last to run up a white flag. From then on settlement was with the five principal. few years ago, was the last to run up a white flag. From then on settlement was assured because with the five principal Republican bosses to say thus and so should be the rapid transit officials found to the result of the resu assured because with the five principal Republican bosses to say thus and so should be the rapid transit officials found it discreet to give in and quit a fight in which victory seemed sure. A certain amount of bluffing was indulged in to prevent the strikers and Pratt from getting too chesty, but the outcome was never in doubt after Wolf, Reyburn and Durham gave in late Thursday night.

What tickled Philadelphia hugely when the fight was all over was the grand scramble that the Republican bosses made to grab oredit for themselves.

made to grab credit for themselves.
About everybody save Durham wanted
to be known as the man who brought
about peace. Wolf tried to fix it so that Reyburn would be hailed by a grateful city as the peacemaker. He got the Mayor to write a letter last night to Presi-Mayor to write a letter last night to President Parsons of the Rapid Transit Company in which the Mayor said that after all he felt himself, swayed by a higher sense of duty than merely to preserve public order. He had analyzed the difhe said, between the street car company and the strikers and had found that after all they were great. Could not Mr. Parsons see his way clear to a

Mr. Parsons saw the point and replied

Attorney Rotan, the machine candidate.

Purthermore the organ of the liquor ruthermore the organ of the liquor dealers came out to-night with a fierce attack on Mayor Reyburn and all the rest of the Republican bosses, calling them unpleasant names. The saloon men are very sore because Henry Clay closed up their places. There is a possibility therevery sore because Henry Clay closed up their places. There is a possibility there-fore that the backdown won't save the machine from a thrashing.

C. O. Pratt, leader of the strikers, gave out a statement to-night jubiliating over the victory. He said that the outcome

of the fight meant new life for the union labor movement. He denied that politics had played any part in the settlement and he praised Mayor Reyburn, whose position, he said, had been misunderstood. He said that he began to prepare for this strike three were ago.

atood. He said that he began to proposed for this strike three years ago.

Despite the certainty that a settlement would be reached by nightfall lawless strikers or sympathizers attacked cars in the suburbe, demolishing several and assaulting non-union men. There were in the suburbs, demolishing several and assaulting non-union men. There were half a dozen fights in the northeastern section, the most serious being a battle at Twelfth and York streets between a squad of police and 1,000 troublemakers. Two policemen were hurt, a car was wrecked and the track was torn up.

A crowd in the Kensington district attacked a non-union motorman. He pulled a blackjack and defended himself with spirit. Rioters overcame him and the man was saved from serious injuries

the man was saved from serious injuries only by the coming of a strong force of policemen. Cars were held up here and there, bricks and cobblestones were thrown through windows and rails were ripped up. A dozen arrests were made ripped up. A dozen arrests were made during the afternoon.

The Grand Jury this morning indicted for

aix rioters, who had been arrested for diverting switches, damaging property or assault. Nearly all of these disturbances arose from the contempt in which the strikers had come to hold the police.

U. S. SUPREME COURT BEHIND. 418 Cases Left Undisposed Of When Ad-

Journment Was Taken. WASHINGTON. June 4.-The Supreme Court docket for the term just closed embraced 908 cases, which was the largest for any term since 1895. The act of 1890, which was passed with the view of light-ening the docket by making certain classes of cases final in the Court of Appeals, brought about a gradual reduc-tion in the size of the docket until two years ago, since when there has been a

gradual increase.

When the term closed a year ago
there were 421 cases undisposed of.
In the twelve months 487 cases were andded, bringing the total up to 908. Four hundred and thirty cases were passed upon during the term, so that 478 now remain upon the docket, which is an inremain upon the docket, which is an in-crease of fifty-seven cases over last year.

To Be U. S. Consul at Madrid.

WASHINGTON, June 4 .- The Senate con-L. Hoover of Missouri to be Consul at Madrid, Spain, succeeding Richard M. Bartleman of Massachusetts, who was transferred to the consulate-general at

Bryce to Sammer in England.

WASHINGTON, June 4 .- James Bryce, the British Ambassador, called on the President to-day to say farewell [before leaving for England, where he will spend the summer.

Vice-Admiral Baron Uriu of the Japa-ness navy also called to pay his parting

THORNS IN HIS PATH WHERE HE MIGHT HAVE HAD ROSES.

He Calls Penrose's Attack "Petty and Contemptible" and Proceeds to a Eulogy of the Wisconsin Idea That the Corporations Must Pay Their Taxes.

WASHINGTON, June 4 .- Persons who went to the Senate chamber to-day expecting to hear a sensational outburst from Senator La Follette of Wisconsin in response to the attack made on him last night by Senator Penrose of Pennsylvania were disappointed or relieved, according to the individual point of view Mr. La Follette made a reference to Mr. Penrose's accusation that Mr. La Follette was shamming illness as an excuse for remaining away from the Senate's night session, but did not say whether or not he had been "openly abroad upon the streets consulting with the editors of yellow journals and the agents of uplift magazines, as Penrose had charged.

as reprose and charged.

Senator Penrose evidently expected an attack from the Senator from Wisconsin, for he had a large pile of manuscript on his desk which according to a rumor that floated around the Senate was full of ammunition in the form of a statements supplied by was full of ammunition in the form of affidavits and statements supplied by people in Wisconsin. Mr. Penrose has had something of this character in reserve for some time, but he did not feel called upon to unlimber his artillery to-day.

The Senate had been under way with morning business for fully fifteen minutes before Mr. La Follette appeared. He came in looking rather wearied and took his seat waiting for the tariff bill to be his seat waiting for the tariff bill to be laid before the Senate. Mr. Penrose eyed him closely. At the proper time the Senator from Wisconsin arose and

to put Reyburn. Wolf and Durham in a hole by giving out long interviews saying that it was wicked not to come to terms and please the people of Philadelphia.

At that Mayor Reyburn bent his back. He told McNichol that he guessed it was dangerous to go to the primaries Saturday with a tough labor fight on hand and that maybe something had better be done quick Next Wolf fell into line, although he hated to see Jim McNichol get the credit for bringing about peace.

make my amend to him here this morning." he added.

After Senator Gallinger had acknowledged the amend and had made a brief explanation the Senator from Wisconsin turned and faced Mr. Penrose, whose criticisms last night were the most pointed. He glared at that Senator and then an-nounced that he did not intend to take up the time of the Senate in replying to "petty and contemptible" personal attacks upon himself. He said that ever since he had been making a fight for what he con-ceived to be right he had been subjected

"I have been vilified, lied about and misrepresented, but my answer has always been that the corporations must pay their share of the taxes," said senator La Follette.

He called attention to the fact that the important and serious matters which he discussed in the Senate yesterday were crowded out of the newspapers this morning by the sensational attacks upon himself. The Senator from Wisconsin then discussed the part he had taken in public Mr. Parsons saw the point and replied in a letter of similar beauty that he knew the Mayor had the interest of the whole community at heart and that he was ready to hear suggestions.

The correspondence was published to-day, but McNichol had got too long a start in the race for popularity. It was McNichol's picture and not Reyburn's that got on the first pages of the Phila adelphia evening papers.

After all a great many people were saying to-night the machine may get. In ever have in my public life taken.

for District Attorney, slipped one over on the organization. They managed to get Gibboney's name on the regular problem of any man's life and given to the great is thought, be worth \$5,000 extra votes to Gibboney and may mean defeat for Gibboney and may mean defeat for District Attorney, slipped one over the man should it sets to the heart of my life has been carved the best portion of any man's life and given to the great struggle in my State. I had as good and as lucrative a law practice, and could have put by as comfortable a fortune for the learner of the course. Number four in scholastic order is Luther Welch of Kanas City, Mo., who stretched himself out with a machine in order to reach the minimum entrance height. He has developed into an athlete, being captain of the learner of the course. Number four in scholastic order is Luther Welch of the heart of any man's life and given to the great struggle in my State. I had as good and as lucrative a law practice, and could have put by as comfortable a fortune for as lucrative a law practice, and could have put by as comfortable a fortune for my family, as falls to most men of good, fair ability in their profession. I got deeply interested in certain things that seemed to me to go to the roots of the life of this Government according to the principles which are fathers against a stabilished. principles which our fathers established for us. It took hold of me. It took me out of my profession. It put me into a contest in the State of Wisconsin to establish in that Commonwealth first of all.

> of government from every state in this Union. From every great university, from the economic department of it, from the economic department of the great universities of Europe, they have come to the little capital of Wisconsin citizens and interests. Communication to study the legislation written in the statute books in fifteen years in that State, especially with respect to the government of corporations and their relation to the life of the people."
>
> Then Mr. La Foliette came to the real point of his question of parsonal privi-

point of his question of personal privi-lege. Looking squarely at Mr. Penrose he said with great deliberation:

he said with great deliberation:

"As to the remarks of the Senator from
Pennsylvania (Mr. Penrose) I would
suggest that he would render a more important service to the country, to the
State of Pennsylvania and the United
States when he accounts for the way he
spends his time when absent from this body than in any effort to make any account of mine. But the public is not greatly interested in individual Senators greatly interested in individual Senators and how they spend their time outside of this body. The people of Wisconsin will take care of me if they think I am an unfaithful servant in this body without any suggestion from any Senator upon this floor.

"I might add that no man could undertake to account for the whereabouts of the Senator from Pennsylvania without transgressing the rules of the Senate and that I do not purpose to do in this debate."

There was a suggestion of applause in the galleries as Mr. La Follette concluded this statement. Senator Penrose started to rise. Mr. La Follettee consented to risel of the superior of a print. started to rise. Mr. La Follettee con-sented to yield for a question or a brief statement, whereupon Mr. Penrose called attention to an inaccurate statement in Mr. La Follette's magazine regarding in Mr. La rollette's magazine regarding fiscal affairs in the State of Pennsylvania. Mr. Penrose said that the matter had not been corrected, although the attention of the Senator from Wisconsin had been called to it. In explaining, Mr. La Follette said that the publication was an error; that it was written by his as-sociate editor. Herbert Quick, by way of comment and was based on a despatch

The gun

corrected in his magazine as soon as the inaccuracy had been called to his attention, and at the suggestion of Mr. Penrose he agreed to furnish the Pennsylvania Senator with a copy of the retraction. With this statement the incident seemed closed and Mr. La Follette resumed his firmed to-day the nomination of Charles speech on the cotton schedule and kept it

GERMAN CORRESPONDENCE.

Senate Asks for the Documents Regarding the German Wage Report. WASHINGTON, June 4 .- The Senate leaders were in amiable mood this morning. They passed without a dissenting vote the resolution offered yesterday by Senator La Follette of Wisconsin requesting the President to send to the between the State Department and the

THE FIFTH AVENUE BRANCH

of The Farmers' Loan and Trust Company, 475 FIFTH AVENUE, near 41st Street.

Interest allowed on Deposit Accounts. Acts as custodian of per-

sonal property and man-

ager of real property. Travelers' Letters of Credit. Foreign Money and Express Checks. Vault Boxes for Customers' use.

German Government in relation to the German wage report, which has been the subject of much warm debate.

Senator Smith of Michigan took occa sion to criticise such parts of the report as he had seen. He did not criticise the sending of the comparative statement of wages, but he agreed with Senators Aldrich and Depew that the suggestion in the report of one of the German commercial bodies that the Congress ought to take into consideration the difference in the manner of living between the United States workingmen and those in like industries in Germany was an importingness.

in like industries in Germany" was an impertinence.

This moved Senator Heyburn of Idaho to inquire wherein any offence had been committed by the German manufacturers in making these suggestions. He said that it was common in the Senate to comment on conditions of laborers in Europe, and that after all the estatement in the German communication was made by a private commercial body: The Senator said he saw no occasion to get unduly heated about it.

Senator La Foliette was late in reaching the chamber. After the comments

Senator La Follette was late in reaching the chamber. After the comments made in the Senate last night because of his absence his appearance was looked forward to with some interest. He appeared just as his resolution was being put on its passage and in time to vote in the affirmative with the other Senators.

Senator Root's Tariff Amendment. WASHINGTON, June 4.—Senator Root offered an amendment to the tariff bill to-day increasing the duty on cheaper forms of knives from 1 to 1% cents each.

MIDDIES GET DIPLOMAS. Admiral Dewey and Representative Olcot

ANNAPOLIS, June 4.- The 175 graduates of the Naval Academy received their diplomas from the hands of Admiral Dewey this morning and heard brief addresses by that officer and Supt. Badger and a more extended talk by Representative J. Van Vechten Olcott.

Make Addresses.

Admiral Dewey counselled hard work to the career of Lieutenant-Commander Hutchinson, who conducted the torpedo flotilla in its cruise to the Pacific.

Representative Olcott aroused hearty applause by telling the midshipmen that the board had recommended to Congress that a law be passed to commission them as ensigns upon graduation and pledging his support and that of his Congressional colleagues on the board to the measure. He said be believed in a big navy for both coasts as a means of preserving peace. "I do not believe Germany or

the lacrosse twelve.

The class will lose ten members at once, eight having failed physically and two having been transferred to the army.

REBELLION IN HONDURAS.

Martial Law at Celba-U. S. Gunbeat Sent to Guard Americans if possible, a government by the people and for the people.

"Mr. President, I would not be provincial, I would not be boastful, but something has been accomplished in that State that draws the leading students of government from every State in this Union. From every great university.

with Tegucigalpa, the capital, has been cut off. The State Department does not know the cause of the revolution or anything of the chances of success against the Covernment.

LUTHER CONANT, JR., NAMED Succeed Durand as Deputy Co

sioner of Corporations WASHINGTON, June 4 .- President Taft sent to the Senate to-day the nomination of Luther Conant, Jr., of New York to be Deputy Commissioner of Corporations, succeeding E. Dana Durand, formerly Deputy Commissioner, who was recently appointed director of the census bureau.

For the last five years Mr. Conant ha been a special examiner of the bureau of corporations. He also took an active part in the Standard Oil investigation. Prior to entering the Government service he was financial editor of the New York Journal of Commerce. He is a graduate of the Massachusetts Institute of Techof the Massachusetts Institute of Technology and is about 38 years old.

The President to-day appointed William H. Harr Asistant Attorney-General in place of Alvord W. Cooley, who was recently appointed Associate Justice of the Supreme Court of Arizona. Air. Harr has for nine years been an atto ney in the Department of Justice.

Movements of Naval Vissels.

WASHINGTON, June 4 .- The battleship Colorado has arrived at Seattle, the cruiser Chester at Dakar and the cruiser Prairie

The gunboat Paducah has sailed from Puerto Cortes for Ceiba, the collier Lebanon from Norfolk for Iona Island, the despatch boat Dolphin from Washington for Annapolis, the cruiser New York from Tompkinsville to sea with inapection board, the gunboat Samar from Hongkong for Canton and the collier Nanshan from Hongkong for Shanghai.

Army and Navy Orders.

WARRINGTON, June 4. - These army orders were saued to-day:
Major W. N. Bispham. Medical Corps. to Fort
cavenworth.
Capt. Milton F. Davis. Tenth Cavalry (General
ista). to army retiring board at Washington Capi. Milion F. Davis. Tenth Cavalry (General Staff), to army retiring board at Washington or examination.
Capt. Charles W. Castle, paymaster, to Denariment of Dakola.
Major William C. Wren. Tweifth Infantry, to increased the annual dues of resident moreased the annual dues of resident moreased the annual dues of resident moreased the annual dues of resident Mr. Sweet was a trustee of the City Ciub, a sorter next class Army War College about Fuly 1, at Washington, D. C.
First Lieut. Samiled discharged.
First Lieut. Samiled discharged.
Reserve Corps. honorably discharged.
First Lieut. Fred J. Conzelmann, Medical Reserve Corps, from Fort Williams to Fort Caswell.
Major John A. Dapray, retired, from active duty to home.
No many orders were issued to-day.

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Major John A. Dapray orders were issued to-day.

MAGISTRATES MEET. ACCUSES BRADDIN HAMILTON

MRS. WOODARD RECITES HER CASE TO THE GOURT.

Tells in an Affidavit on a Writ of Habeas Corpus of Her Experience in Getting Hamilton's Seciety for Uphelding Justice to Collect Money on a Policy.

the clergyman and "chief counsel of the Society for Upholding Justice," figured aged woman, before Supreme Court Justice Dugro on the allegation that she was These Magistrates were present: Bar

when Mr. Gates raised the point that Mrs. Myers had not made the return to

At that time I was without a lawyer, bu

September I noticed an advertisement "The Society for Upholding Justice," which led me to believe the society would take up the matter and collect the money on a contingent fee and that I would not have to pay any money. I went to the office of the society at 500 Fifth avenue and met a Mr. Alexander Brown, who learned that had a tract of about two hundred acres in Florida. He told me the society would undertake the collection of my insurance policy and directed me to go to the office of the Rev. Braddin Hamilton at 61 East Fiftyfifth street.

In October, 1907, after an interview with Mr. Hamilton, I agreed with him that he should undertake the collection of the policy for \$150, to be paid when he collected the money. Mr. Hamilton said he must have some security for his fee and per suaded me to make a conveyance of my land in Florida with the understanding that he would have it reconveyed to me by The ciety for Upholding Justice when his nd loyalty to the service and referred fee of \$150 had been paid. This deed is now in my possession. Mr. Hamilton told me he had been obliged to send two men on horseback to survey the land and would charge me \$25 for the expenses. This money 1

paid him.
Soon after 1 fell ill and was in terrible anxiety of mind abobt the matter and tried to get some news from Mr. Hamilton. I finally got Charles A. Wardle, general agent of the Phoenix Mutual Life Insurance company of 149 Broadway to go and see him. His investigation showed that Mr. Hamilton had done absolutely nothing in the matter. Mr. Wardle made such reprethat got on the first pages of the Finds adelphia evening papers.

After all a great many people were saying to-night the machine may get licked at the primaries to-morrow despite its submission to the union labor leaders. The supporters of D. Clarence Gibbonsy, anti-machine candidate for nomination for District Attorney, slipped one over in getting any of this money from Mr. Hamilton for several weeks. While I was ill he called several times and promised a speedy settlement. Once when Hamilton was on an outing I got a check

for \$10 from Mrs. Hamilton. Mr. Hamilton valled on April 8 and found me very ill and only stayed a few The same day he wrote me a letter asking for an extra allowance of, \$5 for the Florida business. I finally agreed to give him this sum and another extra allowance of \$50. He then said he would have to give men connected, with Mutual Life Insurance Company \$100 for aranging the settlement. He afterward

paid me \$150. that she had received in all \$472.65 from Hamilton and that he had charged her \$450 for legal fees, was submitted to the Court. Her affidavit said that as the result of the trouble with Hamilton over the Florida property she put the case in the hands of the Legal Aid Society, having heard that complains had been received there against Hamilton. She had since that time Hamilton has approached a friend of hers with money to work in the commercial department.

LEAVES \$81,000 TO CHARITY.

Frank Walgering Gives Most of Property to Church Work. Bequests to charity aggregating \$81,000

are made in the will of Deputy Sheriff Frank J. Walgering, filed for probate yesterday. The value of the estate was not stated. The testator's wife and daughter were asphyriated by illuminating gas four years ago, and the \$81,000 is believed to represent the bulk of the a Victim of the Soda Water Habit. estate.

The institutions to receive \$5,000 each are the Society of St. Vincent de Paul, Little Sisters of the Poor, Church of the Assumption, St. Francis's Hospital, St. Francis's Home, St. Joseph's Hospital for Consumptives, St. Catharine's Hospital for Consumptives, St. Catharine's Hospital, of Brooklyn, St. Vincent's Hospital, Presbyterian Hospital, German Hospital, Isabella Home for the Aged, Fritz Reuter Home for the Aged, Redemptionist's College, Leo House for German Catholic Emigrants, St. Gabriel's Sanitarium at Paul Smith's, and St. Joseph's Orphan Asylum.

Henry Walgeriag, a brother, and Julius Funke, a cousin, receive \$5,000 each, while three cousins, Frederick Wilkinson, Frank Funke and Teresa Werner get \$1,000, as do Theodore and Minnie Aubke. Sums and friends.

of \$500 to \$1,000 are left to other cousins and friends.

The residuary estate, if there is any, is left to the executors, George F. Ewald and Jacob Mattern, to build a new clubhouse for the young men of the Church of the Assumption in West Forty-minth street, and the balance is to be applied to discharge the indebtedness on the church.

Hempsteed by the Democrats. He had but one eye, one arm and one leg. The deceased, although a Republican, managed his brother's campaign and almost succeeded in having him elected.

Oblituary Notes.

Clayton E. Sweet, head of Sweet, Orr & Co., overall manufacturers, died yesterday manufacturers, died yesterday

Early Session of Board in Private, Al-The Board of City Magistrates held a private session yesterday afternoon at an adjourned meeting of the regular May

meeting. Section 1,398 of the City Char-ter says: "All the meetings of such board shall be public." All reporters and others present were bowed out of the public meeting room, but the secretary of the board, Phillip Bloch, and the stenog-The name of Dr. Braddin Hamilton. rapher remained. There were several roll calls and action was taken relative yesterday in the habeas corpus proceed-ings sued out by Merrill E. Gates, Jr., ants. Four of these clerks were selected of the Legal Aid Society, in which he in the private meeting. The real appointbrought Mrs. Caroline S. Woodard, an ments were made after the doors were thrown open.

restrained of her liberty by Mrs. A. E. Myers of 221 East 124th street.

When Mrs. Woodard appeared she denied that she was being restrained of her liberty and said she wanted to stay with Mrs. Myers. Justice Dugro said he was inclined to dismise the writ and privately—confer, some of them put it—because they did not want to wash some dirty linen, in reference to the new ap-

Mrs. Myers had not made the return to the writ as provided by law the Court said.

"But this lady appears here in person and says she is not in any way restrained or coerced. If I austain the writ I have continued to order her discharge and she will prob-

own request from voting for the men taken from the interpreters' list.

These were the men chosen: Interpreters' list—Jese Bernhardt and Arthur Krevulin. Civil service list—Conrad C. Cronich and Henry Heinck. There was no debate upon their merita and no mention was made of any other candidates, President. Barlow simply reading the names of those already selected, and the roll call being ordered.

names of those already solutions of call being ordered.

The resignation of Miss Maude E.

Miner, probation officer, was presented to take effect on July 1. The Magistrates to take effect on July 1. voted unanimously to accept it "with regret," and President Barlow was instructed to write to Miss Miner and express the board's appreciation of her

YALE HITS A FERRYBOAT. Turbine Liner Runs Into the Bremen Neither Much Damaged.

dock near the foot of Christopher street in the North River yesterday morning bumped into the Lachawagna ferryboat Bremen, bound from Hoboken, carrying away a part of the woodwork of the upper deck on the women's side of the ferryboat and smashing glass in the cabin. The Bremen made an effort to pass to her slip under the stern of the Yale and was not observed in the fog by the lookouts on the turbine until it was too late to avoid collision. The Yale was only slightly damaged. After disoharging her passengers the Bremen went to Hoboken and laid up for-repairs.

IRVING LOVERIDGE DEAD. Farencen Superintendent for Western Electric a Victim of Intipenza.

Special Cable Despatch to THE SUN. BERLIN, June 4.-Irving Loveridge of yesterday. He was the general superntendent in Europe of the company. Death was caused by influenza com-

plicated with weakness of the heart. The funeral service was held to-day in the American Church by the pastor, the Rev. Dr. Dickie, after which the remains were put on board a train for Antwerp. They will be shipped thence for New York to-morrow. Mrs. Loveridge will follow on the next steamship.

Mr. Loveridge, who made his headquarters at the Hotel Savoy, London, was in Berlin on an annual inspection tour of the company's continental offices. He Mrs. Woodward's account, showing caught a chill at Antwerp, but his death that she had received in all \$472.65 from was quite unexpected. Mr. Loveridge

asid that since that time Hamilton has approached a friend of hers with money for her, which was refused.

When Mrs. Myers left court she said she was taking good care of Mrs. Woodward and that the latter had promised to pay her when she got the money.

The stationery of the Society for Upholding Justice has carried the name of Mrs. Russell Sage as founder and supporter of the society, but counsel for Mrs. Russell Sage as founder and supporter of the society, but counsel for Mrs. Sage has denied that she had anything to do with it.

He was graduated from the University of Rochester in 1882 and immediately went to work in the commercial department of the Western Electric Company. By 1892 he had worked up to a position which and in that year he was sent to Europe as the manager of the company's Antwerp that the same of Mrs. Russell Sage as founder and supporter of the society, but counsel for Mrs. Sage has denied that she had anything to do with it.

country he returned to Europe as general European superintendent.

Mr. Loveridge was married ten years ago to Miss Jennie Morton of Rochester, who was with him when he died. There are no children. Three weeks ago cable messages were received in this city notifying the company that Mr. Loveridge was ill with a fever, but at that time his limess was not thought to be sarious. illness was not thought to be serious. It is thought that the body will be taken to Rochester for burial.

STEPHEN RICE DEAD.

Stephen Rice, Nassau county's heavyweight politician, died at his home in Manhasset, L. I., yesterday from drinking Little Sisters of the Poor, Church of the too much soda water, according to his

Clayton E. Sweet, head of Sweet, Orr & Co., overall manufacturers, died yesterday morning at his home, 230 Montgomery street, Newburgh, NJ Y., of pneumonla. His wife died a few weeks ago at the Hotel Belmont in this city of the same allment. Mr. Sweet was a trustee of the City Club; a vestryman of St. George's Protestant Episcopal Church, trustee of the Newburgh Savings Bank and a director of the National Bank of Newburgh.

REBUKE FOR JUDGE MULQUEEN

APPELLATE DIVISION SAYS HE DIDN'T DEAL FAIRLY.

Jury Got Wrong Advice From Him in Case of Albert Mayer, Justice Ingraham Says, and the Defendant's Lawyer Was Hampered in General Sessions.

General Sessions Judge Mulqueen was criticised unfavorably in an opinion of the Appellate Division of the Supreme Court yesterday which reversed the conviction of Albert Mayer, who was entenced by Judge Mulqueen to not less than aixteen years nor more than twenty years in Sing Sing for assault on a boy.

Mayer, who describes himse'f as a physician and pharmacist, said he was sent to the World's Fair in 1893 as a delegate and that he participated in the finals in an international chess game at the Manhattan Justice Ingraham, who wrote the opin-

on, says that a reading of the testimony shows that no reliance can be put on the testimony of Charles Hausmann, the fourteen-year-old complaining witness, and that the alleged corroborative evi dence was no better. The Justice has this o say about the conduct of the trial:

In submitting the case to the jury I think

or coerced. If I sustain the writ I have to order her discharge and she will probable to order her discharge and she will probable to determine the took of the kind had advised the board that ability go back to Mrs. Myers immediately. Mrs. Gatee asked for an adjournment until he could hear from relatives of Mrs. Woodward in Boston and got a postponement until Monday. Mrs. Woodward and two of the latter's children and left with them.

With the complaint in the habeas corpus proceedings there was submitted to the court an affidavit made by Caroline Sinciplar Woodward in the matter of Exekiel Braddin Hamilton, an attorney. In this affidavit Mrs. Woodward said she had sold stooks in Boston and Denver and had an insurance policy on which she had sold \$1,000, which she decided to give up in insurance company held that the policy had lapsed and declined to pay. The affidavit continues:

At that time I was without a lawyer, but in Sentember I noticed an advertisement to order and advised the board and mental to the private of the concerted action of the civil service list. The Civil Service Cormaniston had advised the board that the two lists. Certain of the intermitted to the four must appoint two men from sech the intermitted to the first must be post of the two lists. Certain of the intermitted of the two lists. Certain of the intermitted of the two lists. Certain of the intermitted to the four must be not in the could hear from relatives of Mrs. Myers and the court reason with he court was unfair to the defendant in the court man first about these men freely.

In submitting the case to the jury it the first the defendant in the court was unfair to the defendant in the house of the kind held court was unfair to the defendant in the house of the kind held recently by the Magistrates. And the conference was held to take shout these men freely.

In self the first was unfair to the defendant in the

to the jury, it was a case in which a con-scientious juror might well have had a reasonable doubt as to whether the defendant was guilty of the crime charged. It was entirely improper for the Court to say that in this case "there is no reason within my view, except through sym-pathy or an improper motive of some kind, why the jurors cannot agree."

That certainly was not a correct statement of the law. There was imposed upon each juror the duty of coming to an independent judgment as to the guilt or innocence of the defendant and the Court had The Metropolitan Line turbine Yale, in no right to say to any juror that his refusal from Boston, while backing into her to agree with his fellows was evidence of sympathy or improper motive of some

Justice Ingraham also took exception Justice Ingraham also took exception to this statement of Judge Mulqueen's to the counsel for the defendant:

"Now, if you persist in this course of leading the witness I will take some action after this trial is over, and I warn you not to waste our time putting further leading questions again and again after I have just sustained the objection to at least four of such questions put right together.

just sustained the objection to at least four of such questions put right together.

"And I think your manner is a contempt of court, and I will so consider it if you continue it and at the conclusion of the case i will take up the matter."

Justice Ingraham says that when defendant's counsel objected to being limited to fifteen minutes in addressing the jury in a case of so much importance the Court interrupted with:

"Well: if you had given us less talk

the Court interrupted with:

"Well; if you had given us less talk about what you loved you could have finished your argument in the given time." Justice Ingraham concludes as follows: These extracts from the records have

en quoted as an illustration of the Court's attitude throughout the case, its treatment of defendant's counsel and its atti-tude toward the defence. We are satisfied that the defendant was not permitted fairly to present his case to the jury, and that an atmosphere was created by the comments of the Judge during the trial upon the conduct of defendant's counsei and the evidence in the case as well as by the Court's statement of the evidence to the jury, which makes it our duty to set aside the verdict and order a new trial. Justices McLaughlin, Houghton and Scott concurred in the opinion and Justice Laughlin concurred in the result.

OLD SCHOOL BELL RECOVERED. Will Ring Again to Call Great Men at

Chemire Military Academy. NEW HAVEN, June 4 .- The old bell of Bowdoin Hall at the Cheshire Military Academy has been taken back to the school after having been lost for fifteen years and there is rejoicing among the shimni of the scademy. It was found in a belfry in Short Beach

Conn., a summer resort. Among those interested in this academy are J. P. Morgan of New York, Bishop Edwin Lines of Newark, N. J., and E. H.

Edwin Lines of Newark, N. J., and E. H.
Harriman.

Commencement day will be June 17 and the old grads coming back will once more have a chance to pull the bell and ring out the class numerals as they did years ago.

One of the means of identifying the lost bell was the name of the late Gen. Joseph Wheeler, who was a student at Cheshire, soratohed on the inside of the bell. There were other names of graduates there too.

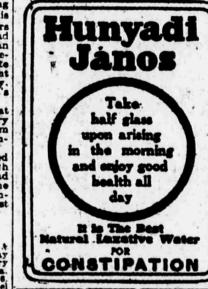
uates there too.

It was said to-day that Dr. Horton, former master of the academy, who has a summer residence at Short Beach, presented the bell years ago to the chapel at Short Beach.

In return for the old bell the alumni of the academy have made up a fund for the purchase of a new bell for the Short Beach chapel.

uates there too.

Beach chapel.



900 Miles in the Air

Last Saturday Count Ferdinand von Zeppelin set out on what proved to be the greatest aerial flight ever achieved by man,

Almost at the same time PUT. NAM'S MAGAZINE for June was published, with a leading article by the Count himself, entitled "The Conquest of the Air." The great aerial navigator is modest, but he tells the story of his ships and flights with a straightforward, clear and convincing manner that makes extremely interesting reading.

Lieut. Lahm, who won the great James Gordon Bennett cup in the international balloon race at Paris in 1906, and who was in the Baldwin airship when it was wrecked last Monday, also contributes a most interesting paper on "The Air-Our True Highway." Lahm is one of the feremost authorities on aeronautics in America.

The articles will give you an astonishing and an intimate insight into the mysteries of aerial navigation.

All Newsstands or PUTNAM'S, 27 W. 23d Street.

Perfect Silverware

Three things that unite in making perfect all knives, forks, spoons, etc., stamped 1847 ROGERS BROS are beauty, quality and expert workmanship—the result of 61 years' experience in the making of finest silver plate. Best fee sets, dishes, waiters, etc., are stamped MERIDEN BRITA CO.

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OFFICE FURNITURE YOU SHOULD Ask me to prope it. CHAS. E. MATTHEWS. 275 Canal Street.
One door East of B'way. Tel. 1200 Spring.

MARRIED.

BUSH-DUNN.-On Friday, June 4, at Fair-lawn, Morris Heights, by the Rev. De Witt Péten, Dalsy Prall, daughter of the lats William Stuart Dunn, to Francis Drake Bush. HELPS-CORBETT.-Wednesday, June 2, 1908. at Conklin, N. Y., by the Rev. Dr. J. J. Law-rence, Clara, daughter of Marshall J. Corbett and Dennison S. Phelps of Binghamion, N. Y. ALDSTEIN—SELIGMAN.—On May 17. in the strictest intimacy, Charles Waldstein, Lift. D.-Ph. D., &c., Fellow King's College, Cambridge. England, Slade Professor of Fine Arts, Cam

bridge, to Florence, eldest daughter of the late D. L. Einstein of New York, and widow of

Theodore Seligman of New York. No al-

DIED.

ASHTON—On June 3, Samuel Ashton, age 85.
Services at The Funeral Church, 241 West 234
st. (F. E. Campbell Building), Saturday eve ning. 8 o'clock. Chicago, Ill., papers please

Elmer Elisworth Black, aged 46.
Fungral service at his late residence, 48 Essi
78th st., at 2 P. M. Sunday, June 6. Inter-HRMANN .- On Thursday, June 8, Ernst Ehrmann, beloved husband of Flora Ehrmann. Funeral services at his late residence, 16 East

BLACK.-On May 30, 1909, after a brief illness

49th st., Sunday morning, June 6, at 100 clock. London and Paris papers please copy. FREEMAN.—On Friday, June 4, at Lakewood N. J., Louisa Sheafe, widow of Mark J. Freeman and daughter of the late Alfred W. ani Louise Sheafe Haven of Portsmouth, N. H. HASLIN .- On May 31, 1900, Michael Haslin, the be-

Buried in Greenwood. HURLBUT .- At St. Vincent's Hospital, on Juni 4, Elsa, daughter of Frank M. and the latt Martha Sampson Huribut.

Funeral notice hereafter. PENNIMAN.—At the residence of his daughter,
Mrs. Robert C. Lewfs, Pompton, N. J., oz
Tuesday, June 1, 1809, George Hearf
Penniman, in his soth year.
Funeral at Boston at convenience of family.

Boston papers please copy. SOLOMON.—John A. Solomon, ared 30.

Body lying at The Funeral Church, 241 and 243

West 23d et. (Frank E. Campbell Building). WILLIS. - Suddenly, on June 4, at Richmond, Va. Olive Oglivie, wife of Ayiburton T. Willis of

Notice of funeral hereafter. UNDERTAKERS.

449 Third street, Brooklyn.

PRANK B. CAMPBELL, 341-348 W. 234 ST. Chapele Ambulance Service Tel. 1824 Cheisse RELIGIOUS NOTICES.

CENTRAL PRESBYTERIAN CHURCH.
West 57th st., between Broadway. 7th Avc.
Rev. W. MERLE-SMITH, Pastor, will preach
at 11 A. M. Sacrameff of the Lord's Supper at
4:30 P. M. (No evening service.) Christian Ea,
deavor Sunday 8:45. Sunday School 5 P. M.
Prayer meeting Wednesday 8 P. M.

MEMORIAL BAPTIST, WASHINGTON SOI ARE EDWARD JUDSON, 11. "Sustained Enchus-asm." 8, "The Lost Coin."